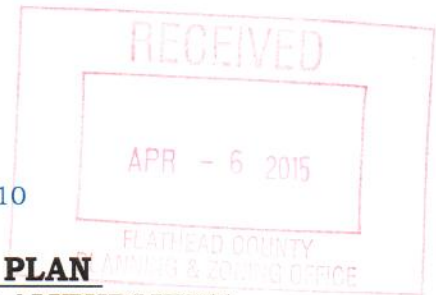


# Flathead County

## Planning & Zoning

1035 1st Ave W, Kalispell, MT 59901  
Telephone 406.751.8200 Fax 406.751.8210



### **GROWTH POLICY/NEIGHBORHOOD PLAN** **APPLICATION FOR "PRIVATELY INITIATED" AMENDMENT**

*Submit this application, all required information, and appropriate fee (see current fee schedule) to the Planning & Zoning office at the address listed above.*

**FEE ATTACHED \$ 1159.00**

#### **APPLICANT(S):**

1. Name: David J. Schmeckle & Schmeckle Brothers LLC Phone: (406) 250-9911
2. Mail Address: 1101 Whitefish Stage
3. City/State/Zip: Kalispell, MT 59901
4. Email: \_\_\_\_\_
5. Interest in property (if map amendment): Owner

#### **LANDOWNER(S) (if proposing to amend a map):**

1. Name: Same Phone: \_\_\_\_\_
2. Mailing Address: \_\_\_\_\_
3. City, State, Zip: \_\_\_\_\_
4. Email: \_\_\_\_\_

#### **TECHNICAL/PROFESSIONAL PARTICIPANTS:**

1. Name: Sands Surveying Inc. Phone: (406) 755-6481
2. Mailing Address: 2 Village Loop
3. City, State, Zip: Kalispell, MT 59901
4. Email: eric@sandssurveying.com

#### **IF THE PROPOSED AMENDMENT IS TO A MAP PLEASE COMPLETE THE FOLLOWING:**

- A. Address(es) of the property: 1101 Whitefish Stage, Kalispell
- B. Legal Description: Lot 2 and a Portion of Lot 3 of RJS Northern Park Subdivision (See Attached)  
(Lot/Block of Subdivision or Tract #)  
5 - T28N - R21W  
Section Township Range (Attach sheet for metes and bounds)
- C. Total acreage: 2.148 ac



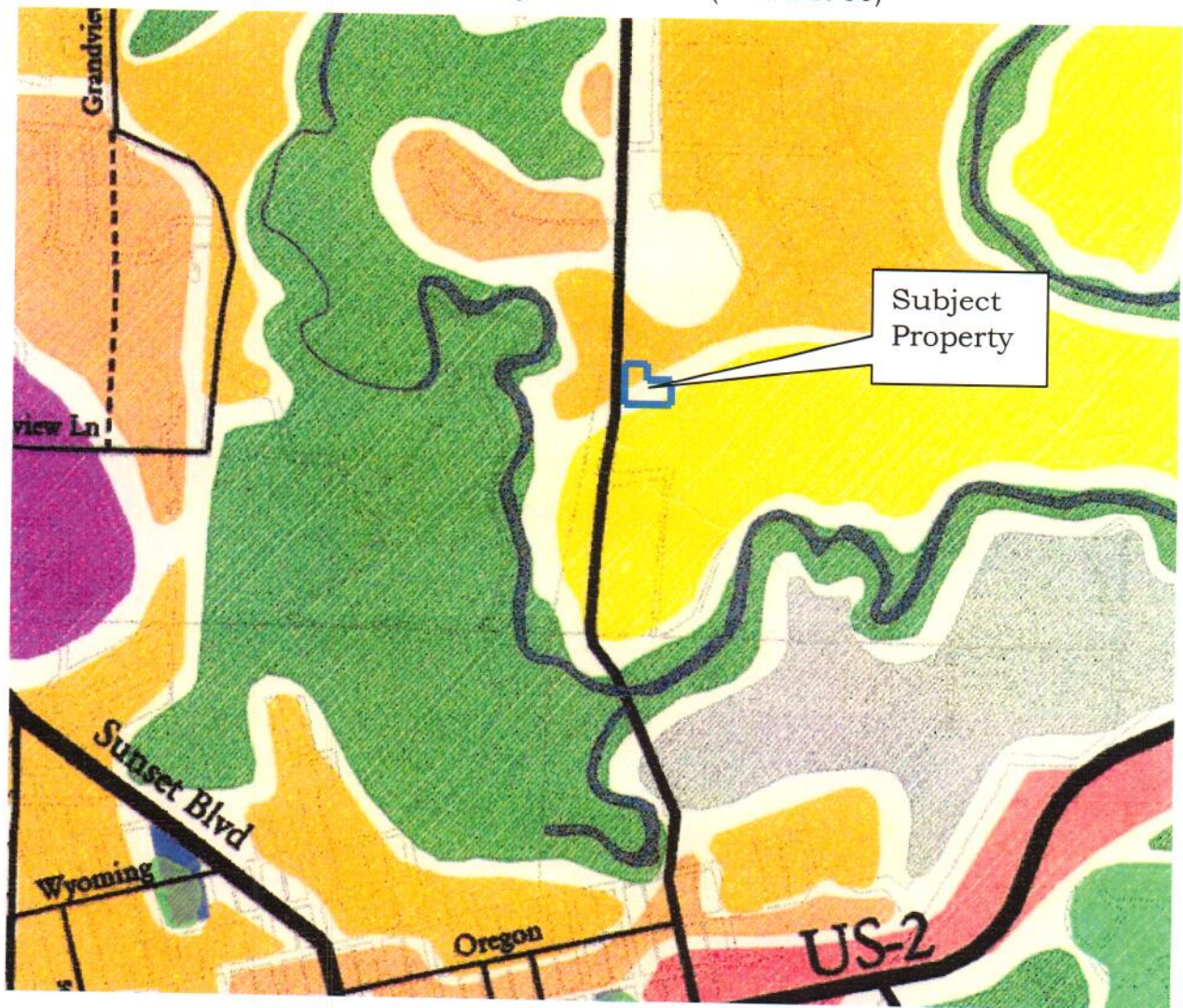
## INFORMATION ABOUT THE PROPOSED AMENDMENT(S)

- A. Please list the plan within which an amendment is being proposed, as well as the corresponding section(s) of the plan:

Kalispell City-County Master Plan, Year 2010 Adopted by Kalispell Resolution #3641, April 7, 1986 and Flathead County Resolution #578A, February 6, 1986. The Kalispell City-County Master Plan is considered a neighborhood plan within the influence of the Flathead County Growth Policy. We are not proposing any changes to the text, only changes to the Map.

- B. Please provide the exact text and/or maps showing the proposed amendment(s). Proposing a change from an Suburban/Urban Residential Designation to an Industrial Designation on the Land Use Map. (See attached Map)

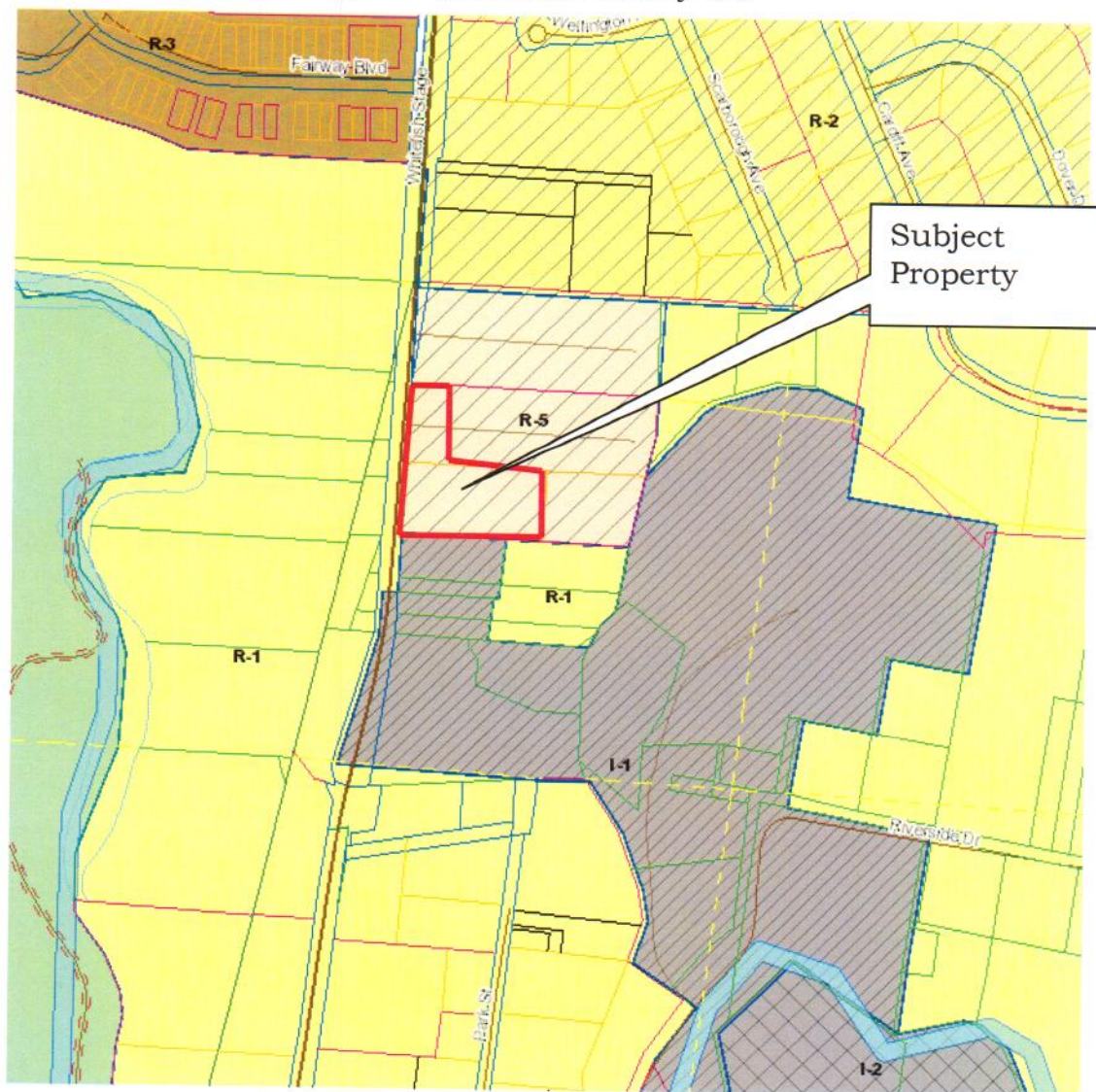
Figure 1. Kalispell City County Master Plan (Dated 1986)





C. Please describe the reason(s) for the amendment(s). The applicant has owned the subject parcels for a number of years and has operated a number of businesses in the existing buildings located on Lot 2. The applicant wished to expand one of the businesses when he discovered that he was a legal “non-conforming use” and needed a CUP to expand the business. After meeting with Planning Staff the landowners discovered that the property is located directly adjacent to industrially zoned property. After considering his options, Mr. Schmeeckle decided to request this plan amendment and rezone the property to that of the neighboring properties located to the south. The plan amendment would eliminate the “non-conforming” status, recognize the historical use, and match his neighbors light industrial zoning designation.

Figure 2 – Zoning Designation, Flathead County GIS





## **CRITERIA FOR REVIEW:**

Part 7 of Chapter 9 of the Flathead County Growth Policy establishes criteria for Growth Policy Amendments. Additionally, per Part 4 of Chapter 10 of the Flathead County Growth Policy, Neighborhood Plans are elements of the Growth Policy. Therefore, proposed amendments to *all* plans must address the following criteria:

- A. In Montana, Growth Policies must comply with the requirements of 76-1-601, M.C.A. (attached). Explain how the proposed amendment affects the overall compliance of the Growth Policy and, if applicable, the Neighborhood Plan, with 76-1-601, M.C.A.

As the applicant is not proposing any amendment to the text of the Kalispell City-County Master Plan 2010 or the Flathead County Growth Policy Adopted March 19, 2007, the Map amendment will not change the community goals and objectives. We are proposing a map amendment which will change 2.148 acres currently designated in the 1986 plan as Suburban/Urban Residential to the proposed Light Industrial designation.

*Provisions of the Kalispell City County Master Plan – 2010 that are applicable and compliant with said Plan.*

### *Chapter 1*

#### *5. Economy*

*g. Promote the location of business and clean light industry so as to provide job opportunities and maintain Kalispell's position as a retail shopping center for northwest Montana*

The proposed map amendment is in proximity to lands already zoned Light Industrial. In addition the City of Kalispell is in the process of converting the old McElroy Site on Whitefish Stage as a new Industrial Park.

*6 Land Use – The orderly development of the Planning Jurisdiction with ample space for future growth while, at the same time, ensuring compatibility of adjacent uses.*

The proposed Plan Amendment will expand the neighboring light industrial designation and also recognize the existing uses located on a proption of the site.

e. *Establish additional areas for light industrial expansion within or directly adjacent to the City...*

Although not directly adjacent to the City, the property is located along a major collector road with light industrial zoning adjacent. The property is not currently served by Public sewer or water. Kalispell sewer and Evergreen water is located approximately ¼ mile north of the subject property.

#### 8. *Public Facilities*

a. *Designate areas of future development which are already serviced or are in areas which can be economically serviced by water and sewer systems, police and fire protection.*

Like the neighboring properties, the site is within the Evergreen Fire District and served by Flathead County Sheriff Office. The sites are currently served by on-site sewer and water.

Chapter 5 – Summary and Analysis of the Kalispell City-County Master Plan addresses the deficiency of industrially developed land in the Plan area. Industrial land, “The entire Planning Jurisdiction contains only ½ and Kalispell contains only 1/5 of the industrially developed land normally found in a community of similar size.” The Plan states that industrial development, “provides a two fold benefit to an area. First, industrial land is a major component of the local tax base. Typically industrial lands pay a far greater proportion in taxes than are received back in services. Second, industrial development on average is responsible for creating 1.5 to 2 additional local support, service or retail jobs (non-basic for each industrial (basic) job in a given area.”

The proposed Map amendment will not alter the provisions of MCA 76-1-601 3a through j which are incorporated into the Flathead County Growth Policy.

- B. Explain the existing characteristics and/or projected trends in the community that are substantially different from those presented in the most recent plan update and upon which the proposed amendment is based.



The Kalispell City-County Growth Policy, adopted in 1986, is for the most part outdated with the exception of the identified deficiency of industrially designated property within the Plan area. The proposed Map amendment is, at least in a small part, trying to rectify the industrial land use deficiency. The application also recognizes that the much of the land zoned light industrial along Whitefish Stage is not supported by the Kalispell Master Plan. I am not sure why this property was zoned differently than the Master Plan designation but these neighboring property owners have relied on the zoning to establish businesses and investment in the community. The proposed land use designation recognizes the neighboring zoning and the existing use on the subject parcel.

- C. Explain how the proposed amendment impacts both consistency within the plan proposed to be amended and consistency with other plans. (For example, if the proposed amendment is to a Neighborhood Plan, how does the proposed amendment impact the consistency of the text, goals and policies and maps within the plan, but also consistency with the provisions of the Growth Policy?)

The following provisions of the Kalispell City County Master Plan – 2010 that are applicable and compliant with the proposed Map Amendment.

#### *Chapter 1*

#### *5. Economy*

*g. Promote the location of business and clean light industry so as to provide job opportunities and maintain Kalispell's position as a retail shopping center for northwest Montana*

The proposed map amendment is in proximity to lands already zoned Light Industrial. In addition the City of Kalispell is in the process of converting the old McElroy Site on Whitefish Stage as a new Industrial Park.

*6 Land Use – The orderly development of the Planning Jurisdiction with ample space for future growth while, at the same time, ensuring compatibility of adjacent uses.*

The proposed Plan Amendment will expand the neighboring light industrial designation and also recognize the existing uses located on a portion of the site. The proposed Map amendment is located in an area that is more or less light industrial with mini-storage, auto repair, tow truck business, and

cell tower. The property is also located next to two mobile home parks one of which is owned by the applicant. There is also some single family residential uses located along the west side of Whitefish Stage.

*e. Establish additional areas for light industrial expansion within or directly adjacent to the City...*

Although not directly adjacent to the City, the property is located along a major collector road with light industrial zoning adjacent. The property is not currently served by Public sewer or water. Kalispell sewer and Evergreen water is located approximately ¼ mile north of the subject property.

#### *8. Public Facilities*

*a. Designate areas of future development which are already serviced or are in areas which can be economically serviced by water and sewer systems, police and fire protection.*

Like the neighboring properties, the site is within the Evergreen Fire District and served by Flathead County Sheriff Office. The sites are currently served by on-site sewer and water.

Chapter 5 – Summary and Analysis of the Kalispell City-County Master Plan addresses the deficiency of industrially developed land in the Plan area. Industrial land, “The entire Planning Jurisdiction contains only ½ and Kalispell contains only 1/5 of the industrially developed land normally found in a community of similar size.” The states that industrial developments, “provides a two fold benefit to an area. First, industrial land is a major component of the local tax base. Typically industrial lands pay a far greater proportion in taxes than are received back in services. Second, industrial development on average is responsible for creating 1.5 to 2 additional local support, service or retail jobs (non-basic for each industrial (basic) job in a given area.”

The proposed Map amendment will not alter the provisions of MCA 76-1-601 3a through j which are incorporated into the Flathead County Growth Policy.



- D. Explain how the proposed amendment further protects and complies with the seven elements of the public's vision for the future of Flathead County. See Chapter 1, Part 1.

*1. Protect the Views*

The subject property is mostly developed with light industrial uses including mini-storage and a shop building. The neighboring property is mostly developed with light industrial uses and two mobile home parks. The proposed Master Plan Amendment and Zone Change will not impact the view as the uses are mostly in place. There are no views of the Stillwater River from these properties and only limited views of the mountains to the east.

*2. Promote a Diverse Economy*

As stated in the Kalispell Master Plan, there is a shortage of light industrial property in the Kalispell Plan area. The proposed Plan Amendment will promote diversity in the economy by providing for light industrial business to expand on the site where it already exists.

*3. Manage Transportation*

The property is located along Whitefish Stage which is a major collect road for the Kalispell/Evergreen Area. Whitefish Stage is a two lane road with a 35 mph speed limit in this location. Traffic along Whitefish Stage is free flowing with no stops between Reserve Drive and Oregon Street. The existing uses and any proposed expansion should not significantly impact the level of service on the Whitefish Stage Road.

*4. Maintain the identity of Rural Communities*

The proposed Map Amendment is in the urban area of Kalispell/Evergreen. Located just outside the City limits of Kalispell, the property is not considered rural.

*5. Protect Access to and Interaction with Parks and Recreation*

The proposed Map Amendment will not impact access to, or interaction with any park or recreational activities. The closest parks are Lawrence Park (City) just to the west along the Stillwater River and the Hillcrest Park (County) located 500-feet north of the proposed Map Amendment. The two parks are connected by a bike/ped trail that runs along the west side of Whitefish Stage Road and winds down to Lawrence Park by a trail connector



just across the street from the proposed Amendment. The proposed change from residential to industrial will not impact these park facilities.

*6. Properly Manage and Protect the Natural and Human Environment*

The site is most built-out with the exception of the small area located in front of the trailer court. The proposal will not impact any natural or manmade environments.

*7. Preserve the Rights of Private Property Owners*

The proposed Map Amendment will not infringe on neighboring property rights. The bulk of the property in this application is already developed with Light Industrial uses. The applicant owns the trailer court directly to the north. The properties to the south are already zoned light industrial. The single family residential uses to the west are buffered by Whitefish Stage Road. The proposed Map Amendment is primarily an attempt to recognize the uses already in existence and which have been so for many years.

- E. Explain the process of public participation and review that the proposed amendment has undergone and/or will undergo and discuss the sufficiency of this in the context of the proposed amendment.

The proposed Map Amendment will go through the public notification process and public hearing process with the Flathead County Planning Board and the Flathead County Commissioners. This process provides opportunity to all interested persons to comment, pro or con, on the proposed amendment to the Kalispell City County Master Plan 2010 Map.

- F. If the proposed amendment is to a Neighborhood Plan and that plan has unique amendment criteria, please list the criteria and explain how the proposed amendment addresses each criteria.

The Kalispell City-County Master Plan- 2010 does not establish any unique amendment criteria. The Plan does recommend bi-yearly review of the document to keep it current. However, due to a number of jurisdictional issues over the ensuing years, this version of the Plan was adopted, but never up-dated, and remains as the Land Use Policy for this area.

\*\*\*\*\*

**SIGNATURES (required):**

**For all amendments:**

\_\_\_\_\_  
Applicant(s)

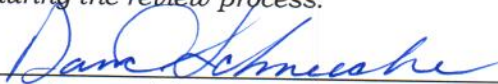
\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant(s)

\_\_\_\_\_  
Date

**For map amendments:**

*The signing of this application signifies approval for FCPZ staff to be present on the property during the review process.*

  
\_\_\_\_\_  
Landowner(s)

3/25/15  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Landowner(s)

\_\_\_\_\_  
Date

**APPLICATION PROCESS APPLICABLE TO ALL "PRIVATELY INITIATED" PLAN AMENDMENTS:**

- A. Pre-Application Meeting.  
A Pre-Application Meeting is highly recommended as an opportunity to discuss the proposed amendment(s) with a member of planning staff and share information beneficial for all parties. Matters pertaining to such things as amendment criteria, plan histories, processing timelines and sufficiency of public participation can be addressed.
- B. Completed application form and supplemental information such as maps, documents referenced in criteria for review, etc.
- C. Application fee.